



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,054	02/26/2002	Kevin J. Schulz	S01.12-0829/STL 10301	4383
7590	03/17/2004		EXAMINER	
Theodore M. Magee WESTMAN CHAMPLIN & KELLY International Centre - Suite 1600 900 South Second Avenue Minneapolis, MN 55402-3319			KLIMOWICZ, WILLIAM JOSEPH	
			ART UNIT	PAPER NUMBER
			2652	
			DATE MAILED: 03/17/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

***Non-Responsive Amendment***

The reply filed on February 2, 2004 (Certificate of Mailing of January 28, 2004) - Paper no. 17 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

As previously noted in the Office action of Paper No. 16, mailed October 30, 2002, the external file wrapper of Patent Application Serial Number 10/083,054 indicates that a supplemental information disclosure statement was filed September 30, 2003 (Paper No. 15). Moreover, the Applicants, as set forth in Paper No. 15, state that there has been submitted an "enclosed PTO Form-1449" and further state that a copy of "an Official Search Report of the European Patent Office in counterpart foreign application No. PCT/US02/06006 filed February 26, 2002" has been submitted.

The Examiner notes, however, that the application file does not have any prior art reference file copies and is also missing a PTO-1449 form and furthermore that a search of the eIDS (via IFW and/or eDAN) indicates that no IDS's filed September 30, 2003 are in the IFW system of the USPTO.

The Applicant is requested to clarify if indeed an IDS has been filed, and if so, to please resubmit the references to be considered with a corresponding PTO -1449.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid

abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER  
37 CFR 1.136(a).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (703) 305-3452. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

will  
William J. Klimowicz  
Primary Examiner  
Art Unit 2652

WJK